



OFFICE OF THE DISTRICT ATTORNEY, Bronx County

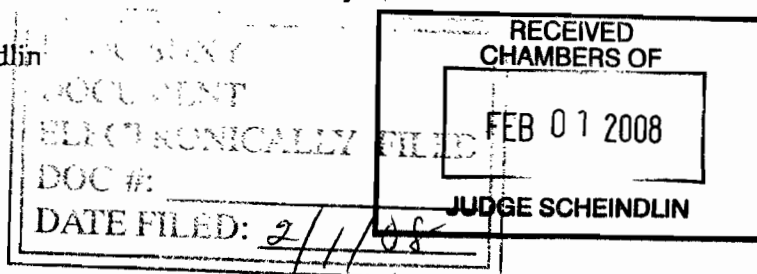
ROBERT T. JOHNSON
District Attorney

198 East 161st Street
Bronx, New York 10451

Phone: (718) 590-2138
Fax: (718) 590-6523

February 1, 2008

The Honorable Shira A. Scheindlin
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007



BY FAX

Re: Claudio Nunez v. Conway
07 Civ. 7560 (SAS)

Dear Judge Scheindlin:

Our Office represents the respondent in the above-entitled habeas corpus proceeding. The current deadline for respondent's answer to the petition is February 26, 2008. However, in your Honor's order, dated January 15, 2008, your Honor granted petitioner's application for appointment of counsel and directed the CJA Clerk to assign petitioner an attorney from the list of CJA habeas counsel. In granting petitioner's request for counsel, your Honor noted, among other things, that "from the garbled and confusing description of the grounds supporting [petitioner's] Amended Petition, it is apparent that [petitioner] cannot effectively articulate his constitutional claims" (See Order, dated January 15, 2008, p. 3).

In light of your Honor's order, respondent respectfully requests a stay of the current deadline, and that another deadline be established if and when newly assigned counsel clarifies or supplements the amended petition.

Thank you for your consideration in this matter.

Very truly yours,

Vincenzo S. Lippiello

VINCENZO S. LIPPIELLO
ASSISTANT DISTRICT ATTORNEY
APPEALS BUREAU

Request Denied.

cc:
Claudio Nunez
D.I.N. 01-A-3050
Attica Correctional Facility
P.O. Box 149
Attica, New York 14011-0149

*Date: New York, New York
February 1, 2008*

SD ORDERED

[Signature]
Shira A. Scheindlin
U.S.D.J.